

REPORT TO COUNCIL



Date: April 20, 2012
To: City Manager
From: Land Use Management, Community Sustainability (LT)
Application: LL12-0003
Address: 4320 Gallaghers Drive West
Applicant/Licensee: Gallagher's Canyon Golf & Country Club
Subject: Liquor Primary Structural Change (Capacity Expansion)

1.0 Recommendation

THAT Council directs staff to forward the following recommendation to the Provincial Liquor Control and Licensing Branch (LCLB):

In accordance with Section 53 of the *Liquor Control and Licensing Regulation* and Council Policy #359, be it resolved that:

Council's comments on the Liquor Control & Licensing Branch (LCLB)'s prescribed considerations for the application from Gallagher's Canyon Golf Club at 4320 Gallaghers Drive West, Kelowna BC, (legally described as Lot 2 Section 2 Township 26 Osoyoos Division Yale District Plan KAP82436, and an undivided 1/32 share in common Lot 1 Plan Plan KAP63646 (See Plan as to limited access) and an undivided 1/384 share in common Lot G Plan KAP53116 (See Plan as to limited access) and an undivided 1/24 share in common Lot 7 Plan KAP71295 (see plan as to limited access) for an expansion to the existing Liquor Primary licensed area, are as follows:

a) **The potential for noise if the application is approved:**

No increase in noise is expected compared to current circumstances.

b) **The impact on the community if the application is approved:**

The potential for negative impacts is considered to be minimal.

c) **View of residents.**

The Council's comments on the views of residents (if applicable) are as contained within the minutes of the meeting at which the application was considered by Council. The methods used to gather views of residents were as per Council Policy #359 "Liquor Licensing Policy & Procedures."

d) **Recommendation:**

Council recommends that the application for a structural change to increase the capacity of the existing Liquor Primary establishment be approved.

2.0 Purpose

This application seeks Council's support to expand the existing Liquor Primary licensed into existing Food Primary licensed area.

3.0 Land Use Management

This application represents a minor change to the existing establishment, which no overall expansion of licensed area. Given the proposed renovations and minor floor plan changes, the new layout of the licensed areas creates clarity and would be easier to manage and enforce. The proposed changes represent an operational improvement to the existing licensing conditions for the golf club. No change to the business focus, clientele or management is expected through the change.

Based on the above, the Land Use Management Department recommends that the application be supported.

4.0 Summary

An application has been forwarded by the licensee to the Provincial Liquor Control and Licensing Branch (LCLB) for their approval. Procedurally, changes to licensed floor plans that increase total occupancy require Local Government comment on the application, prior to the LCLB making a final decision.

The applicant requests a reallocation of the existing Food and Liquor Primary licensed areas for the establishment, as per the attached plans. The change would see a greater proportion of the licensed area be converted to Liquor Primary from Food Primary. No overall expansion of licensed area is being contemplated.

The licensing changes have been triggered by a minor renovation to the clubhouse space which removed a fireplace/dividing wall between the Food and Liquor Primary areas. The applicant is now seeking to convert the entire restaurant area and adjoining patio into a Liquor Primary licensed area, consolidated with the existing lounge area. The existing banquet space and smaller patio would remain as a Food Primary area.

No other changes from the existing license terms and conditions are being contemplated.

Proposed Structural Change Summary:

Person Capacity:

Licensed Area	Capacity
Existing Indoor Capacity	63
Existing Outdoor Patio	0
Total Existing Licensed Capacity	63
Proposed Indoor Capacity	91
Proposed Outdoor Patio	80
Total Proposed Licensed Capacity	171

*The proposed changes do not represent an expansion of overall licensed space.

4.3 Site Context

The Gallagher's Canyon Golf Course Clubhouse is located in the centre of the Gallagher's Canyon residential community. The community is comprehensively zoned CD6 - Golf Resort. There are no other licensed establishments in the immediate area.

Subject Property Map: 4320 Gallagher's Drive W



5.0 Existing Policies

5.1 Council Policy #359 - Liquor Licensing Policy & Procedures

The proposed change does not contravene Policy #359.

6.0 Circulation Comments

No concerns were raised through file circulation.

Report prepared by:

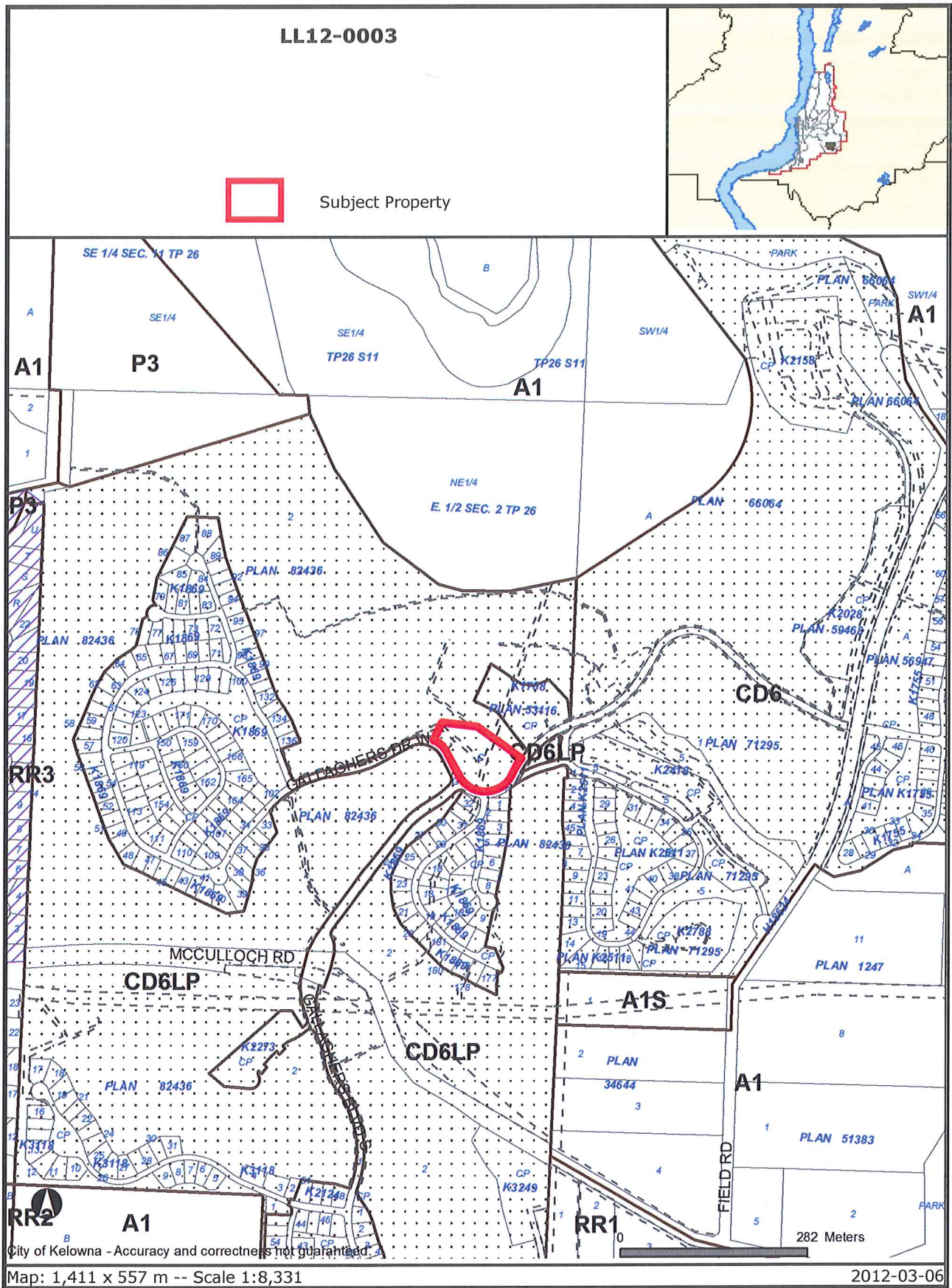
Luke Turri, Land Use Planner

Approved for Inclusion:

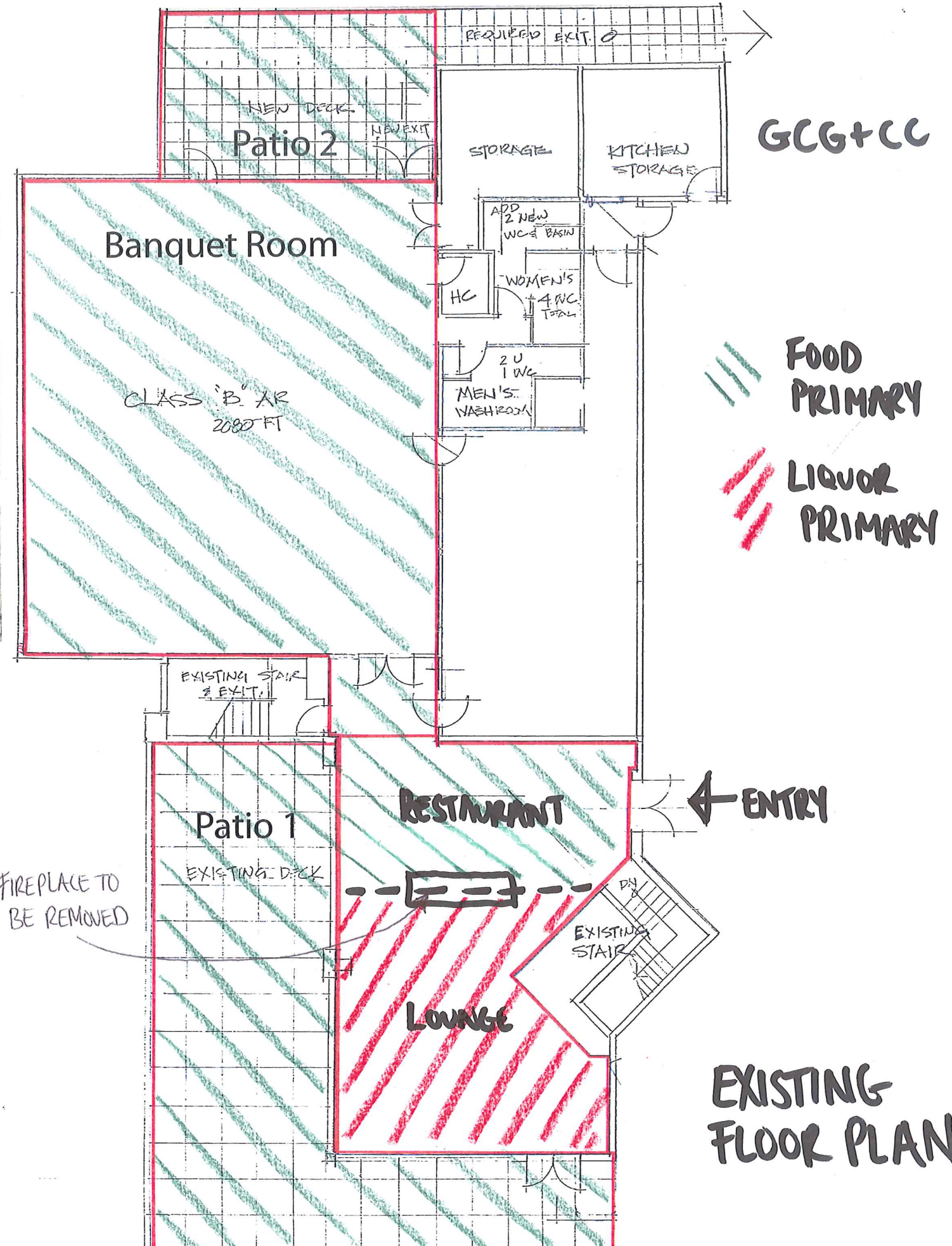
Shelley Gambacort, Director, Land Use Management

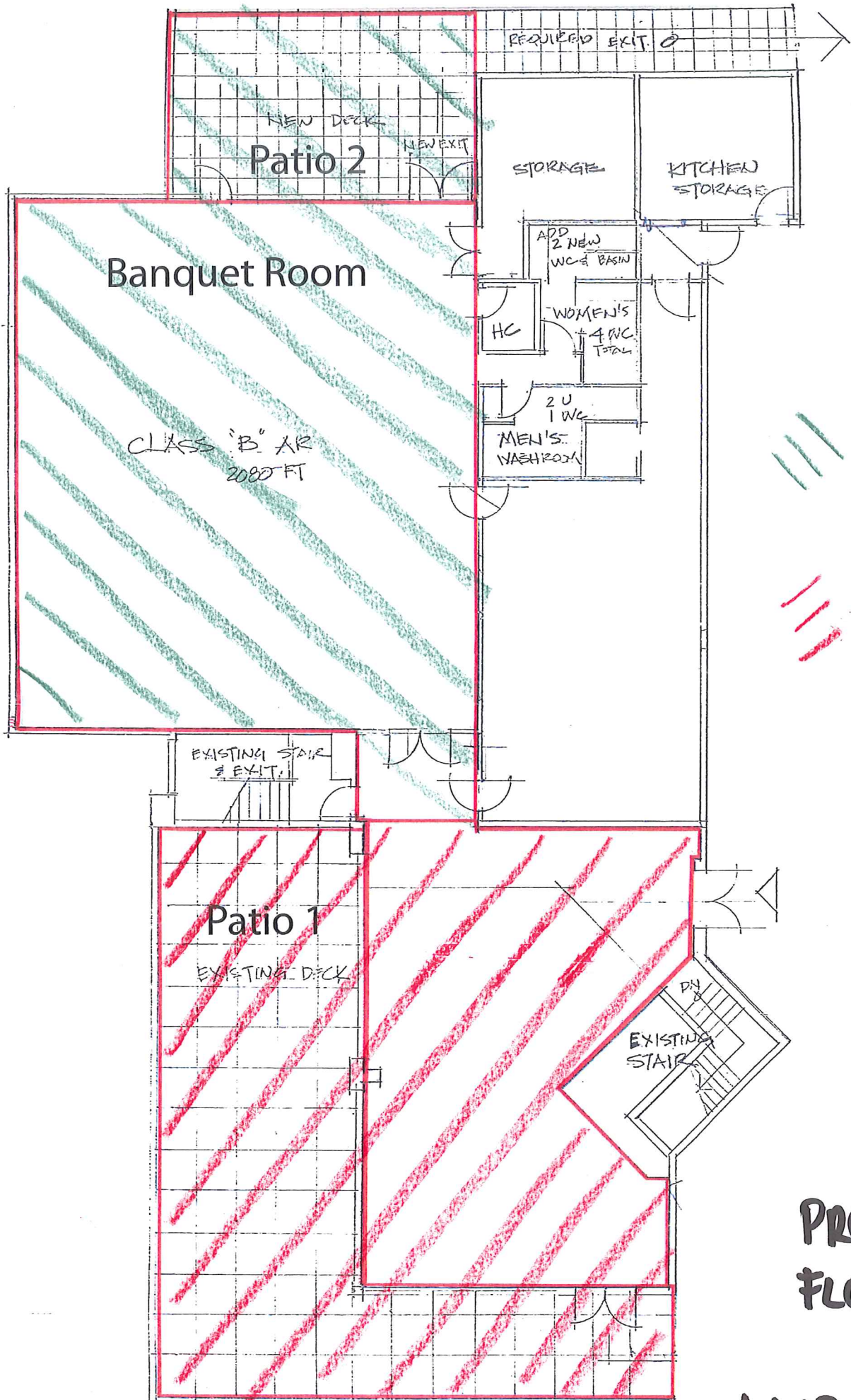
Attachments:

- Subject Property Map
- Existing Floor Plans
- Proposed Floor Plans



Certain layers such as lots, zoning and dp areas are updated bi-weekly. This map is for general information only. The City of Kelowna does not guarantee its accuracy. All information should be verified.





GGG+CC

 FOOD
 PRIMARY

 LIQUOR
 PRIMARY

PROPOSED
FLOOR PLAN

LL12-0003